

**NOTICE OF TRANSAMERICA  
INVESTMENT MANAGEMENT,  
LLC AND TRANSAMERICA  
ASSET MANAGEMENT, INC.'S  
MOTION TO DISMISS CLASS  
ACTION COMPLAINT**

TO: Robert L. Lakind  
SZAFTERMAN, LAKIND, BLUMSTEIN & BLADER, P.C.  
101 Grovers Mill Road, Suite 200  
Lawrenceville, New Jersey 08648

Moshe Maimon  
LEVY, PHILLIPS & KONIGSBERG, LLP  
800 Third Avenue, 11th Floor  
New York, New York 10022

*Attorneys for Plaintiffs*

COUNSEL:

PLEASE TAKE NOTICE that on Monday, June 20, 2011, at 9:30 a.m. or as soon thereafter as counsel may be heard, Defendants Transamerica Investment Management, LLC (“TIM”), located at 11111 Santa Monica Boulevard, Los Angeles, California 90025, and Transamerica Asset Management, Inc. (“TAM”), located at 570 Carillon Parkway, St. Petersburg, Florida 33716, by and through their undersigned counsel, will move before the Honorable Faith S. Hochberg, U.S.D.J., for entry of an order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing the Class Action Complaint in this case with prejudice.

PLEASE TAKE FURTHER NOTICE that in support of this motion, TIM and TAM will rely upon the Memorandum and supporting Declaration of Darcy Hatton submitted herewith. A proposed form of Order is also submitted. TIM and TAM request oral argument of this motion.

Dated: May 16, 2011

s/ Thomas R. Curtin

Thomas R. Curtin

George C. Jones

GRAHAM CURTIN

A Professional Association

4 Headquarters Plaza

P.O. Box 1991

Morristown, New Jersey 07962-1991

Telephone: (973) 292-1700

Facsimile: (973) 292-1767

Robert N. Eccles (*Pro Hac Vice* pending)

Gary S. Tell (*Pro Hac Vice* pending)

O'MELVENY & MYERS LLP

1625 Eye Street, NW

Washington, D.C. 20006-4001

Telephone: (202) 383-5300

Facsimile: (202) 383-5414

*Attorneys for Defendants*

*Transamerica Life Insurance Company,*

*Transamerica Investment Management,*

*LLC, and Transamerica Asset*

*Management, Inc.*